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Attorney for Creditors BARBARA JEAN ZELMER
and ROBERT THOMAS ZELMER

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In Re

PG&E CORPORATION

and

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
- ☐ Affects Pacific Gas and Electric Corporation
- ☒ Affects both Debtors

****All papers shall be filed in
the Lead Case No. 19-30088 DM**

Bankruptcy Cases
19-30088-DM (Lead Case)
19-30089-DM

(Jointly Administered)

**DECLARATION OF MANUEL CORRALES,
JR., IN SUPPORT OF MOTION FOR
RELIEF FROM AUTOMATIC STAY AND
ABSTENTION**

Date: June 25, 2019
Time: 9:30 a.m. (PT)
Ctrm: Hon. Dennis Montali
450 Golden Gate Avenue
16th Floor, Courtroom 17
San Francisco, CA 94102

I, Manuel Corrales, Jr., declare that if called as a
witness in this case I could and would testify as follows:

1. I am an attorney at law duly licensed to practice law
in the State of California, the State of New Mexico, and the
State of Utah, and I am the attorney of record for Creditors
Barbara Zelmer and Robert Zelmer herein. I have personal
knowledge concerning the facts set forth herein.

2. On September 9, 2015, an electrical power line
constructed, owned, operated, managed and maintained by PG&E

1 CORPORATION and PACIFIC GAS AND ELECTRIC COMPANY (collectively
2 "PG&E"), came in contact with adjacent native vegetation that
3 had not been properly trimmed and maintained in violation of
4 fire safety practices. As a result, an electrical arc ignited a
5 fire, known as the Butte Fire, that spread and burned over
6 70,000 acres, destroyed over 570 homes, 368 buildings, killed
7 two people, injured others, and damaged about 44 structures.
8 The fire was not fully contained until October 1, 2015.

9 3. The Zelmers are the owners of property located at 8749
10 Maranatha Lane, San Andreas, California 95246, and were not
11 insured at the time of the fire. Their home and all of its
12 contents were destroyed by the Butte Fire. On December 4, 2017,
13 the Zelmers filed suit in the Sacramento County Superior Court
14 in the Butte Fire Coordinated Proceeding, styled Barbara Jean
15 Zelmer and Robert Thomas Zelmer v. PG&E, Case No. CGC-17-561107,
16 and incorporated the Master Complaint therein (Butte Fire Cases,
17 No. JCCP 4853, Hon. Allen H. Sumner, Dept. 42). The Zelmers sued
18 PG&E for, inter alia, negligence, trespass, and inverse
19 condemnation.

20 4. The Zelmers sought damages for rebuilding their home,
21 for personal property loss, tree loss, landscaping, erosion,
22 lost wages, evacuation costs, alternative living expenses, cost
23 of cleaning and repair of the property due to smoke, soot and
24 ash damage, and damage to other structures. They also sought
25 compensation for mental anguish, annoyance, inconvenience,
26 disturbance, and loss of the quiet enjoyment of their property
27 stemming from the damage caused by the fire.

28 5. During the course of litigation, Defendants PG&E
disclosed that it had liability insurance that covered the
Zelmers' claims. Although PG&E claims its carrier has paid out
the entirety of its policy, PG&E remains an additional insured
under two policies from its contractors who were supposed to

1 maintain proper vegetation control around the electrical line
2 that sparked the fire, with limits in excess of \$75 million.
3 The Zelmers only seek recovery of insurance proceeds.

4 6. On June 22, 2017, the trial court ruled on cross
5 motions on whether PG&E is or should be liable for damages
6 caused by the fire under the doctrine of inverse condemnation.
7 It concluded that PG&E is liable for inverse condemnation, and
8 found: (1) PG&E may be held liable for inverse condemnation
9 under California law even though it is a privately-owned public
10 entity, and (2) the Butte Fire was caused by a public
11 improvement as deliberately designed and constructed by PG&E.

12 7. PG&E reached a settlement with the Zelmers whereby
13 PG&E would pay the Zelmers a sum certain up front, and then
14 another sum, should PG&E succeed in reversing the trial court's
15 ruling on inverse condemnation. To this end, on September 4,
16 2018, the Zelmers and PG&E entered into a stipulated judgment
17 that allowed PG&E to appeal that ruling. The trial court
18 approved the stipulated judgment on November 29, 2018. If the
19 Bankruptcy Court lift the automatic stay and allow PG&E and the
20 Zelmers to pursue the appeal of the Stipulated Judgment, and
21 should PG&E not prevail on the appeal, the Zelmers would only be
22 looking to the available insurance to satisfy the Stipulated
23 Judgment.

24 8. On December 12, 2018, PG&E filed a Notice of Appeal of
25 the Stipulated Judgment.

26 9. To the Zelmers knowledge, there are no other parties
27 in the Butte Fire litigation who have entered into a stipulated
28 judgment as the Zelmers and PG&E did.

10. On January 29, 2019, PG&E filed for Chapter 11
bankruptcy protection.

1 11. Attached herewith and marked as Exhibit "1" is a true
2 and correct copy of an Order Granting Motion for Entry of
3 Stipulated Judgment, dated November 29, 2018.

4 12. Attached herewith and marked as Exhibit "2" is a true
5 and correct copy of a Notice of Filing Notice of Appeal, dated
6 December 13, 2018.

7 13. Attached herewith and marked as Exhibit "3" is a true
8 and correct copy of a Notice of Filing of Notice of Appeal,
9 dated December 11, 2018.

10 14. Attached herewith and marked as Exhibit "4" is a true
11 and correct copy of Defendant Pacific Gas and Electric Company's
12 Response to Plaintiffs' Form Interrogatories, Set One, dated May
13 23, 2016, wherein it discloses the existence of insurance
14 policies covering the Zelmers' claims.

15 15. Attached herewith and marked as Exhibit "5" is a true
16 and correct copy of Defendant Pacific Gas and Electric Company's
17 Response to Plaintiffs' Requests for Production of Documents and
18 Things, Set One, dated May 23, 2016, wherein it discloses the
19 existence of insurance policies covering the Zelmers' claims.

20 I declare under penalty of perjury under the laws of the
21 State of California that the foregoing is true and correct.

22 Executed this 3 May 2019 at San Diego, California.

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MANUEL CORRALES, JR.

DATED: May 3, 2019

s/ Manuel Corrales, Jr.

Manuel Corrales, Jr., Esq.
Attorney for Creditors
BARBARA ZELMER and ROBERT
ZELMER

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E: mannycorrales@yahoo.com

EXHIBIT “1”

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO

Gordon D Schaber Courthouse
720 Ninth STREET
Sacramento, CA 95814-1311

SHORT TITLE: Unifund CCR Partners vs. Lor

CLERK'S CERTIFICATE OF SERVICE BY MAIL

CASE NUMBER:
34-2008-00004853-CL-CL-GDS

I certify that I am not a party to this cause. I certify that a true copy of Stipulated Judgment filed November 29, 2018 was mailed following standard court practices in a sealed envelope with postage fully prepaid, addressed as indicated below. The mailing and this certification occurred at Sacramento, California, on 11/30/2018.

Clerk of the Court, by: /s/ B. Loriga , Deputy

MANUEL CORRALES, JR
17140 BERNARDO CENTER DRIVE # 370
SAN DIEGO, CA 92128 US

KENNETH R CHIATE
QUINN EMANUEL URQUHART & SULLIVAN, LLP
865 S FIGUEROA STREET # 10TH FLR
LOS ANGELES, CA 90017 US

CLERK'S CERTIFICATE OF SERVICE BY MAIL

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

Coordination Proceeding Special Title
(CRC 3.550)

Case No. JCCP 4853

BUTTE FIRE CASES

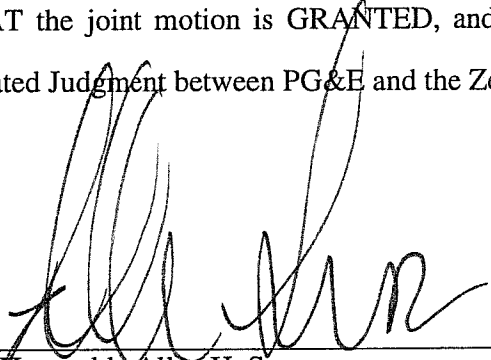
~~[PROPOSED]~~ ORDER GRANTING
MOTION FOR ENTRY OF
STIPULATED JUDGMENT

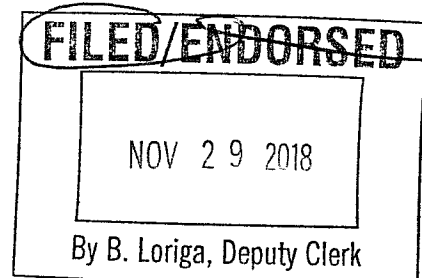
The joint motion of Defendants Pacific Gas and Electric Company and PG&E Corporation (collectively, "PG&E") and Plaintiffs Barbara Jean Zelmer and Robert Thomas Zelmer (collectively, "Zelmers") for an order entering judgment in accordance with the terms of the Stipulated Judgment entered between the Zelmers and PG&E came on for hearing in Department 42 of this Court on ~~October 26~~ **November 29, 2018**.

Having read the motion and the proposed Stipulated Judgment, and having heard argument by counsel, the Court hereby grants PG&E's Motion for Entry of Stipulated Judgment.

THEREFORE, IT IS ORDERED THAT the joint motion is GRANTED, and that final judgment will be entered pursuant to the Stipulated Judgment between PG&E and the Zelmers.

November 29
DATED: ~~October~~ __, 2018


Honorable Allen H. Sumner
Judge of the Superior Court



Christopher Tayback (SBN 145532)
Kenneth R. Chiate (SBN 39554)
Kristen Bird (SBN 192863)
Jeffrey N. Boozell (SBN 199507)

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kenchiate@quinnemanuel.com
kristenbird@quinnemanuel.com
jeffboozell@quinnemanuel.com

**Counsel for Defendants Pacific Gas and
Electric Company and PG&E Corporation**

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mannycorrales@yahoo.com

FILED/ENDORSED

NOV 29 2018

By B. Loriga, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

Coordination Proceeding
Special Title (CRC 3.550)
BUTTE FIRE CASES

This Document Relates to:

BARBARA ZELMER, ROBERT
ZELMER,
Plaintiffs,

vs.

PACIFIC GAS & ELECTRIC COMPANY,
et al.,

Defendants.

Assigned to the Honorable Allen H. Sumner
Department No. 42

CASE NO. JCCP 4853

STIPULATED JUDGMENT

The Parties hereby *stipulate* and consent to final judgment resolving the entire case as follows:

WHEREAS, Plaintiffs Barbara Jean Zelmer and Robert Thomas Zelmer (“the Zelmers”) filed complaints against Defendant Pacific Gas & Electric Company (“PG&E”) asserting claims for inverse condemnation, negligence, trespass, public nuisance, private nuisance, negligence per se, premises liability, violation of California Public Utilities Code § 2106, and violation of California Health and Safety Code § 13007, and alleging damage to their home in Calaveras County, California and other property damage as a result of the 2015 Butte Fire;

WHEREAS, the Zelmers have requested dismissal *with prejudice* of their causes of action against PG&E for negligence, trespass, public nuisance, private nuisance, negligence per se, premises liability, violation of California Public Utilities Code § 2106, and violation of California Health and Safety Code § 13007, leaving inverse condemnation as their sole cause of action;

WHEREAS, PG&E denies any liability for the damages claimed by the Zelmers;

WHEREAS, PG&E believes this Court’s June 22, 2017 and May 1, 2018 orders holding PG&E liable for inverse condemnation damages to be prejudicially erroneous and subject to reversal on appeal, but that the expense of trial, both to the court system and the litigants, is unwarranted given the standard for liability under inverse condemnation that was adopted by this Court, including the Court’s rejection of legal arguments made in PG&E’s May 5, 2017 motion and January 4, 2018 Renewed Motion;

WHEREAS, the Parties wish to enter into a stipulated judgment that is final but reserves the right of PG&E to appeal from the June 22, 2017 and May 1, 2018 orders holding PG&E liable in inverse condemnation for damages arising out the Butte Fire;

THEREFORE, the Parties agree that the Court should enter a final judgment

resolving all of Plaintiffs' claims and the entire case consisting of the terms set forth below for the purpose of facilitating PG&E's appeal of the Court's June 22, 2017 and May 1, 2018 orders:

1. Plaintiffs shall take nothing on their claims against Defendant PG&E for negligence, trespass, public nuisance, private nuisance, negligence per se, premises liability, violation of California Public Utilities Code § 2106, and violation of California Health and Safety Code § 130, which have been dismissed;

2. On Plaintiffs' First Cause of Action for Inverse Condemnation in their Complaint and Fourth Cause of Action for Inverse Condemnation in their Adoption Complaint, judgment shall be entered in favor of Plaintiffs and against Defendant PG&E in the amount of \$850,000, inclusive of fees and costs;

3. This stipulated final judgment resolving all of the claims in this case is without prejudice to the rights of PG&E to appeal this final judgment, including the Court's June 22, 2017 order denying PG&E's Motion for a Legal Determination of Inverse Condemnation Liability and its May 1, 2018 order denying PG&E's Renewed Motion for a Legal Determination of Inverse Condemnation Liability;

4. Plaintiffs hereby waive, pursuant to Code of Civil Procedure § 995.230, any requirement that Defendant post an undertaking, bond or security deposit to stay, and they agree not to enforce the Judgment pending appeal from this Judgment.

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IT IS SO STIPULATED

DATED: October 1, 2018

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By 

Kenneth R. Chiate
Jeffrey N. Boozell
Kristen Bird
Attorney for Defendants
Pacific Gas and Electric Company
and PG&E Corporation

DATED: 9/30, 2018

GILLEON LAW FIRM, APC

By 

Manuel Corrales
Attorney for the Zelmers

IT IS SO ORDERED.

Dated this 29 day of November, 2018.

By 

HON. ALLEN H. SUMNER
Judge of the Superior Court

EXHIBIT “2”



SUPERIOR COURT OF CALIFORNIA
County of Sacramento
720 Ninth Street, Appeals Unit Room 102
Sacramento, CA 95814-1380
(916) 874-3701—Website www.saccourt.ca.gov

BARBARA ZELMER, ROBERT ZELMER
Plaintiff/Respondent

VS.

PACIFIC GAS & ELECTRIC COMPANY et al
Defendant/Appellant

SUPERIOR COURT
NUMBER: JCCP 4853

NOTICE OF FILING
NOTICE OF APPEAL

Please be advised that on December 12, 2018 a NOTICE OF APPEAL was filed in the above entitled cause.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

DATED: : December 12, 2018

Kevin M.

By: Deputy Clerk

SUPERIOR COURT OF CALIFORNIA)
COUNTY OF SACRAMENTO)

DECLARATION OF MAILING

As Deputy Clerk of the Superior Court of California, County of Sacramento, I hereby declare under penalty of perjury, that I have this day mailed, by first class mail, postage fully prepaid, a true and correct copy of the above notice to each of the persons hereinafter set forth, addressed as follows:

MANUEL CORRALES #117647
17140 BERNARDO CENTER DR., STE 358
SAN DIEGO, CA 92128
858-521-0634

Representing: Plaintiff/Respondent

CHRISTOPHER TAYBACK #192863
QUINN EMANUEL URQUHART & SULLIVAN LLP
865 S. FIGUEROA STREET, 10TH FL
LOS ANGELES, CA 90017
213-443-3000

Representing: Defendant/Appellant

COURT OF APPEAL
THIRD APPELLATE DISTRICT
914 CAPITOL MALL 4TH FLOOR
SACRAMENTO, CA 95814

Executed at Sacramento, California, on December 13, 2018

Kevin M.

DEPUTY CLERK

EXHIBIT “3”

QUINN EMANUEL URQUHART & SULLIVAN, LLP

Christopher Tayback (Bar No. 145532)

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Kristen Bird (Bar No. 192863)

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Telephone: (213) 443-3000

Facsimile: (213) 443-3100

Attorneys for Defendants

PACIFIC GAS AND ELECTRIC COMPANY and

PG&E CORPORATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

*Coordination Proceeding
Special Title (CRC 3.550)*

BUTTE FIRE CASES

Case No. JCCP 4853

**NOTICE OF FILING OF NOTICE OF
APPEAL**

Hon. Allen H. Sumner

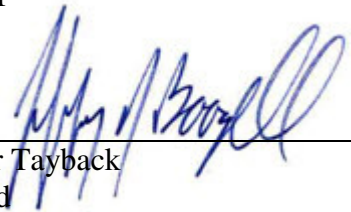
Dept.: 42

1 PLEASE TAKE NOTICE that Defendants and Appellants Pacific Gas and Electric
2 Company and PG&E Corporation have filed the attached Notice of Appeal in Zelmer v. PG&E,
3 San Francisco County Superior Court, Case No. CGC-17-561107. For the reasons set forth in the
4 Court's November 29, 2018 order, this notice is provided for information purposes only.

5 DATED: December 11, 2018

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

7
8 By


Christopher Tayback
Kristen Bird
Jeffrey N. Boozell

10 ATTORNEYS FOR DEFENDANTS
11 PACIFIC GAS AND ELECTRIC COMPANY
12 AND PG&E CORPORATION
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QUINN EMANUEL URQUHART & SULLIVAN, LLP

Christopher Tayback (Bar No. 145532)

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Attorneys for Defendants

PACIFIC GAS AND ELECTRIC COMPANY and

PG&E CORPORATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

*Coordination Proceeding
Special Title (CRC 3.550)*

BUTTE FIRE CASES

This Document Relates to:

BARBARA ZELMER, ROBERT ZELMER,

Plaintiffs,

vs.

PACIFIC GAS & ELECTRIC COMPANY, et
al.,

Defendants.

Case No. JCCP 4853

San Francisco County Superior Court
Case No. CGC-17-561107 (*Joses*)

NOTICE OF APPEAL

Hon. Allen H. Sumner
Dept.: 42

Action Filed: September 1, 2017

1 PLEASE TAKE NOTICE that Defendants and Appellants Pacific Gas and Electric
2 Company and PG&E Corporation hereby appeal from the stipulated judgment entered on
3 November 29, 2018 and each and every part of that judgment.

4 DATED: December 11, 2018

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

6
7 By 

Christopher Tayback

Kristen Bird

Jeffrey N. Boozell

9
10 ATTORNEYS FOR DEFENDANTS
11 PACIFIC GAS AND ELECTRIC COMPANY
12 AND PG&E CORPORATION
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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 865 South Figueroa Street, 10th Floor, Los Angeles, California 90017-2543.

On December 11, 2018, I served a true copy of the following document(s) described as

NOTICE OF APPEAL

on the interested parties in this action pursuant to the most recent Service List.

BY HAND DELIVERY: In addition, I caused the above-described documents to be hand delivered via messenger at the addresses noted below:

Manuel Corrales, Jr.
17140 Bernardo Center Drive, Ste. 358
San Diego, CA 92128

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 11, 2018, at Los Angeles, California.



Omar Galicia

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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 865 South Figueroa Street, 10th Floor, Los Angeles, California 90017-2543.

On December 11, 2018, I served a true copy of the following document(s) described as

NOTICE OF FILING OF NOTICE OF APPEAL

on the interested parties in this action pursuant to the most recent Service List.

BY ELECTRONIC FILING SERVICE: Pursuant to C.C.P. §1010.6, Cal. R. Ct. Rule 2.260, and the parties' agreement to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the person(s) at the e-mail address listed by submitting a PDF format copy of such document via file transfer protocol (FTP) to CaseHomePage through the upload feature at www.casehomepage.com on December 11, 2018. The document(s) was transmitted by file transfer protocol (FTP) without error.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 11, 2018, at Los Angeles, California.



Omar Galicia

EXHIBIT “4”

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
KENNETH R. CHIA TE (SBN 39554)
2 *kenchiate@quinnemanuel.com*
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7 GOUGH & HANCOCK LLP
GAYLE L. GOUGH (SBN 154398)
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9 San Francisco, CA 94105
Telephone: (415) 848-8900
10 Facsimile: (415) 974-6745

11 Attorneys for Defendants
PACIFIC GAS AND ELECTRIC COMPANY
12 and PG&E CORPORATION

13
14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF SACRAMENTO
16

17 *Coordination Proceeding*
18 *Special Title (CRC 3.550)*

JCCP 4853

19 BUTTE FIRE CASES

DEFENDANT PACIFIC GAS AND
ELECTRIC COMPANY'S RESPONSE TO
PLAINTIFFS' FORM
INTERROGATORIES, SET ONE

21 PROPOUNDING PARTY: All Plaintiffs

22 RESPONDING PARTY: Defendant Pacific Gas and Electric Company

23 SET NO.: One
24

25
26 Defendant Pacific Gas and Electric Company ("PG&E"), pursuant to Code of Civil
27 Procedure sections 2030.010 through 2030.410, responds to Plaintiffs' First Set of Form
28 Interrogatories as follows:

1 FORM INTERROGATORY NO. 1.1:

2 State the name, ADDRESS, telephone number and relationship to you of each PERSON
3 who prepared or assisted in the preparation of the responses to these interrogatories. (*Do not*
4 *identify anyone who simply typed or reproduced the responses.*)

5 RESPONSE TO FORM INTERROGATORY NO. 1.1:

6 PG&E's attorneys of record prepared and/or assisted in the preparation of these responses.

7 FORM INTERROGATORY NO. 3.1:

8 Are you a corporation? If so, state:

- 9 (a) The name stated in the current articles of incorporation;
10 (b) All other names used by the corporation during the past 10 years and the dates each
11 was used;
12 (c) The date and place of incorporation;
13 (d) The ADDRESS of the principal place of business; and
14 (e) Whether you are qualified to do business in California.

15 RESPONSE TO FORM INTERROGATORY NO. 3.1:

16 Yes.

- 17 (a) Pacific Gas and Electric Company;
18 (b) None;
19 (c) October 10, 1905, San Francisco, California;
20 (d) 77 Beale Street, San Francisco, California 94105;
21 (e) Yes

22 FORM INTERROGATORY NO. 4.1:

23 At the time of the INCIDENT, was there in effect any policy of insurance through which
24 you were or might be insured in any manner (for example, primary, pro-rata, or excess liability
25 coverage or medical expense coverage) for the damages, claims, or actions that have arisen out of
26 the INCIDENT? If so, for each policy state:

- 27 (a) The kind of coverage;
28

- 1 (b) The name and ADDRESS of the insurance company;
- 2 (c) The name, ADDRESS, and telephone number of each named insured;
- 3 (d) The policy number;
- 4 (e) The limits of coverage for each type of coverage contained in the policy;
- 5 (f) Whether any reservation of rights or controversy or coverage dispute exists between
- 6 you and the insurance company; and
- 7 (g) The name, ADDRESS, and telephone number of the custodian of the policy.

8 RESPONSE TO FORM INTERROGATORY NO. 4.1:

9 PG&E has insurance coverage for third party claims. PG&E's insurers for 2015-2016 are

10 identified in the chart produced in response to request for production no. 20. PG&E and its

11 insurers are custodians of these policies. In addition, PG&E has coverage through policies

12 obtained by Trees, Inc. and ACRT, including policies that include PG&E as an additional insured.

13 FORM INTERROGATORY NO. 4.2:

14 Are you self-insured under any statute for the damages, claims or actions that have arisen

15 out of the INCIDENT? If so, specify the statute.

16 RESPONSE TO FORM INTERROGATORY NO. 4.2:

17 Not applicable. PG&E is insured as stated in response to Interrogatory No. 4.1.

18 FORM INTERROGATORY NO. 12.1:

19 State the name, ADDRESS, and telephone number of each individual:

- 20 (a) Who witnessed the INCIDENT or the events occurring immediately before or after the
- 21 INCIDENT;
- 22 (b) Who made any statement at the scene of the INCIDENT;
- 23 (c) Who heard any statements made about the INCIDENT by any individual at the scene;
- 24 and
- 25 (d) Who YOU OR ANYONE ACTING ON YOUR BEHALF claim has knowledge of the
- 26 INCIDENT (except for expert witnesses covered by Code of Civil Procedure section
- 27 2034).
- 28

1 RESPONSE TO FORM INTERROGATORY NO. 12.1:

2 (a) – (c) PG&E understands that INCIDENT in this request means the start of the Butte
3 Fire on September 9, 2015, on the Caufield Ranch, in Amador County. PG&E objects to the
4 extent the request is vague and ambiguous. Pursuant to Code of Civil Procedure section 2030.230,
5 PG&E refers Plaintiffs to the Cal Fire Investigation Report, including the witness statements of
6 Jamie Affonso, Jack and Diane Caufield, Louie Podesta Jr., and Louie Podesta Sr., and the aerial
7 photographs taken by Michael Lombart, a subcontracted pilot of PJ Helicopters.

8 (d) Cal Fire contacted PG&E representatives on September 11, 2015 to go to the area of
9 origin. PG&E employees Robert Cupp, Jason Regan, Mark Rasmussen, Barry Anderson, Richard
10 Yarnell, Micah Brosnan, Niel Fischer, Eric Back, Becky Johnson, and Kamran Rasheed went to
11 the area of origin on September 11 and 12, 2015. These individuals can be contacted through
12 counsel for PG&E. Thereafter, the area of origin was visited on numerous occasions by the
13 parties. PG&E objects to this interrogatory to the extent that it is overbroad, vague, and seeks the
14 work product of PG&E's attorneys or expert witnesses covered by Code of Civil Procedure
15 sections 2034.210-2034.310.

16 FORM INTERROGATORY NO. 12.2:

17 Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual
18 concerning the INCIDENT? If so, for each individual state:

19 (a) The name, ADDRESS, and telephone number of the individual interviewed;

20 (b) The date of the interview; and

21 (c) The name, ADDRESS, and telephone number of the PERSON who conducted the
22 interview.

23 RESPONSE TO FORM INTERROGATORY NO. 12.2:

24 PG&E understands that INCIDENT in this request means the start of the Butte Fire on
25 September 9, 2015, on the Caufield Ranch, in Amador County. PG&E objects to the extent the
26 request is vague and ambiguous. PG&E cooperated with Cal Fire's investigation of the incident.
27 PG&E objects to this interrogatory to the extent that it seeks attorney work product or attorney-

1 client privileged communications. Subject to and without waiving these objections, PG&E
2 responds as follows: Jason Burke, who may be contacted through PG&E's counsel; Susan
3 Vinciguerra; Walt Ballard; and Michael Lombart.

4 FORM INTERROGATORY NO. 12.3:

5 Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded
6 statement from any individual concerning the INCIDENT? If so, for each statement state:

7 (a) The name, ADDRESS, and telephone number of the individual from whom the
8 statement was obtained;

9 (b) The name, ADDRESS, and telephone number of the individual who obtained the
10 statement;

11 (c) The date the statement was obtained; and

12 (d) The name, ADDRESS, and telephone number of each PERSON who has the original
13 statement or a copy.

14 RESPONSE TO FORM INTERROGATORY NO. 12.3:

15 PG&E understands that INCIDENT in this request means the start of the Butte Fire on
16 September 9, 2015, on the Caufield Ranch, in Amador County. PG&E objects to the extent the
17 request is vague and ambiguous and seeks attorney work product or attorney-client privileged
18 communications. Subject to and without waiving these objection and pursuant to Code of Civil
19 Procedure section 2030.230, PG&E refers Plaintiffs to the Cal Fire Investigation Report, including
20 the witness statements of Jamie Affonso, Jack and Diane Caufield, Louie Podesta Jr., and Louie
21 Podesta Sr. PG&E has not otherwise obtained written or recorded witness statements.

22 FORM INTERROGATORY NO. 12.4:

23 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any photographs, films,
24 or videotapes depicting any places, object, or individual concerning the INCIDENT or plaintiff's
25 injuries? If so, state:

26 (a) The number of photographs or feet of film or videotape;

27 (b) The places, objects, or persons photographed, filmed, or videotaped;
28

1 (c) The date the photographs, films, or videotapes were taken;

2 (d) The name, ADDRESS, and telephone number of the individual taking the photographs,
3 films, or videotapes; and

4 (e) The name, ADDRESS, and telephone number of each PERSON who has the original
5 or a copy of the photographs, films, or videotapes.

6 RESPONSE TO FORM INTERROGATORY NO. 12.4:

7 PG&E understands that INCIDENT in this request means the start of the Butte Fire on
8 September 9, 2015, on the Caufield Ranch, in Amador County. PG&E objects to the extent the
9 request is vague and ambiguous. Pursuant to Code of Civil Procedure section 2030.230, PG&E
10 refers Plaintiffs to the Cal Fire Investigation Report, including aerial photographs taken by
11 Michael Lombart and the photographs provided by PG&E to Cal Fire (published at
12 www.fire.ca.gov/fire_protection/fire_protection_firereports); and the photographs produced to the
13 California Public Utilities Commission, which are produced in response to Plaintiffs' request for
14 production of documents. PG&E objects to this request to the extent that it seeks the work
15 product of PG&E's attorneys or expert witnesses covered by Code of Civil Procedure sections
16 2034.210-2034.310. PG&E further objects to the extent the request is overbroad and burdensome.
17 Subject to and without waiving this objection, PG&E responds that it is also aware that
18 photographs were taken by the parties at inspections in the area of origin and evidence inspections
19 allowed by Cal Fire that were attended by the parties.

20 FORM INTERROGATORY NO. 12.5:

21 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any diagram,
22 reproduction, or model or any place or thing (except for items developed by expert witnesses
23 covered by Code of Civil Procedure sections 2034.210-2034.310) concerning the INCIDENT? If
24 so, for each item state:

25 (a) The type (i.e., diagram, reproduction, or model);

26 (b) The subject matter; and

27 (c) The name, ADDRESS, and telephone number of each PERSON who has it.
28

1 RESPONSE TO FORM INTERROGATORY NO. 12.5:

2 PG&E understands that INCIDENT in this request means the start of the Butte Fire on
3 September 9, 2015, on the Caufield Ranch, in Amador County. PG&E objects to the extent the
4 request is vague and ambiguous. Pursuant to Code of Civil Procedure section 2030.230, PG&E
5 refers Plaintiffs to the Cal Fire Investigation Report and a drawing by Mark Rasmussen
6 identifying the location where a section of the conductor was removed at the request of Cal Fire.
7 The drawing is produced in response to Plaintiffs' request for production of documents. PG&E
8 objects to this request to the extent that it seeks the work product of PG&E's attorneys or expert
9 witnesses covered by Code of Civil Procedure sections 2034.210-2034.310. PG&E further objects
10 to the extent it is overbroad and burdensome.

11 FORM INTERROGATORY NO. 12.6:

12 Was a report made by any PERSON concerning the INCIDENT? If so, state:

- 13 (a) The name, title, identification number, and employer of the PERSON who made the
14 report;
15 (b) The date and type of report made;
16 (c) The name, ADDRESS, and telephone number of the PERSON for whom the report
17 was made; and
18 (d) The name, ADDRESS, and telephone number of each PERSON who has the original
19 or a copy of the report.

20 RESPONSE TO FORM INTERROGATORY NO. 12.6:

21 PG&E understands that INCIDENT in this request means the start of the Butte Fire on
22 September 9, 2015, on the Caufield Ranch, in Amador County. PG&E objects to the extent the
23 request is vague and ambiguous. Pursuant to Code of Civil Procedure section 2030.230, PG&E
24 refers Plaintiffs to the Cal Fire Investigation Report, PG&E's Electric Safety Incident Report to
25 the California Public Utilities Commission, and the 2015 Fire Patrol Recap for 9/7 to 9/13. These
26 last two reports will be produced in response to Plaintiffs' request for production of documents.
27 PG&E objects to this request to the extent that it seeks the work product of PG&E's attorneys or
28

1 expert witnesses covered by Code of Civil Procedure sections 2034.210-2034.310. PG&E further
2 objects to the extent it is vague, ambiguous, and overbroad.

3 FORM INTERROGATORY NO. 12.7:

4 Have YOU OR ANYONE ACTING ON YOUR BEHALF inspected the scene of the
5 INCIDENT? If so, for each inspection state:

- 6 (a) The name, ADDRESS, and telephone number of the individual making the inspection
7 (except for expert witnesses covered by Code of Civil Procedure sections 2034.210-
8 2034.310); and
9 (b) The date of the inspection.

10 RESPONSE TO FORM INTERROGATORY NO. 12.7:

11 PG&E understands that INCIDENT in this request means the start of the Butte Fire on
12 September 9, 2015, on the Caufield Ranch, in Amador County. PG&E objects to the extent the
13 request is vague and ambiguous. Pursuant to Code of Civil Procedure section 2030.230, PG&E
14 refers Plaintiffs to the Cal Fire Investigation Report. Cal Fire contacted PG&E representatives on
15 September 11, 2015 to go to the area of origin. PG&E employees Robert Cupp, Jason Regan,
16 Mark Rasmussen, Barry Anderson, Richard Yarnell, Micah Brosnan, Niel Fischer, Eric Back,
17 Becky Johnson, and Kamran Rasheed went to the area of origin on September 11 and 12, 2015.
18 These individuals can be contacted through counsel for PG&E. Thereafter, the area of origin was
19 visited on numerous occasions by the parties. PG&E objects to this interrogatory to the extent that
20 it seeks the work product of PG&E's attorneys or expert witnesses covered by Code of Civil
21 Procedure sections 2034.210-2034.310. PG&E further objects to the extent it is vague,
22 ambiguous, and overbroad.

23 FORM INTERROGATORY NO. 17.1:

24 Is your response to each request for admission served with these interrogatories an
25 unqualified admission? If not, for each response that is not an unqualified admission:

- 26 (a) State the number of the request;
27 (b) State all facts upon which you base your response;

1 (c) State the names, ADDRESSES, and telephone numbers of all PERSONS who have
2 knowledge of those facts; and

3 (d) Identify all DOCUMENTS and other tangible things that support your response and
4 state the name, ADDRESS, and telephone number of the PERSON who has each
5 DOCUMENT or thing.

6 RESPONSE TO FORM INTERROGATORY NO. 17.1:

7 PG&E incorporates herein by reference each and every response and objection stated in the
8 responses to requests for admissions, set one. As to requests 20 through 23, PG&E responds as
9 follows:

10 Request no. 20

11 PG&E objects to this request as vague and ambiguous. PG&E objects to the extent this
12 request seeks the work product of attorneys or expert witnesses covered by Code of Civil
13 Procedure sections 2034.210-2034.310. Subject to and without waiving the objection, PG&E
14 states that it does not have sufficient information to respond to this request. Cal Fire's recent
15 report related to the Butte Fire referred to additional evidence that has not yet been produced.
16 Discovery and investigation are continuing at this time.

17 Request no. 21

18 PG&E objects to this request as vague and ambiguous. PG&E objects to the extent this
19 request seeks the work product of attorneys or expert witnesses covered by Code of Civil
20 Procedure sections 2034.210-2034.310. Subject to and without waiving the objection, PG&E
21 states that it does not have sufficient information to respond to this request. Cal Fire's recent
22 report related to the Butte Fire referred to additional evidence that has not yet been produced.
23 Discovery and investigation are continuing at this time.

24 Request no. 22

25 PG&E objects to this request as vague and ambiguous. PG&E objects to the extent this
26 request seeks the work product of attorneys or expert witnesses covered by Code of Civil
27 Procedure sections 2034.210-2034.310. Subject to and without waiving the objection, PG&E
28

1 states that it does not have sufficient information to respond to this request. Cal Fire's recent
2 report related to the Butte Fire referred to additional evidence that has not yet been produced.
3 Discovery and investigation are continuing at this time.

4 Request no. 23

5 PG&E objects to this request as vague and ambiguous. PG&E objects to the extent this
6 request seeks the work product of attorneys or expert witnesses covered by Code of Civil
7 Procedure sections 2034.210-2034.310. Subject to and without waiving the objection, PG&E
8 states that it does not have sufficient information to respond to this request. Cal Fire's recent
9 report related to the Butte Fire referred to additional evidence that has not yet been produced.
10 Discovery and investigation are continuing at this time.

11 DATED: May 23, 2016

12 By:  

13 Kenneth R. Chiate
14 Jeffrey N. Boozell
15 Sarah J. Cole
16 QUINN EMANUEL URQUHART & SULLIVAN,
17 LLP

18 Gayle L. Gough
19 GOUGH & HANCOCK LLP

20 Attorneys for Defendants
21 PACIFIC GAS AND ELECTRIC COMPANY
22 and PG&E CORPORATION
23
24
25
26
27
28

1 RE: Butte Fire Cases
2 JCCP 4853
3

4 VERIFICATION

5 I, the undersigned, say:

6 I am an officer, to wit, Assistant Corporate Secretary of PACIFIC GAS AND ELECTRIC
7 COMPANY, a corporation, and am authorized, pursuant to Code of Civil Procedure Section
8 446(a), to make this verification for and on behalf of said corporation, and I make this
9 verification for that reason; I have read the foregoing document, **DEFENDANT PACIFIC GAS**
10 **AND ELECTRIC COMPANY'S RESPONSE TO PLAINTIFFS' FORM**
11 **INTERROGATORIES, SET ONE**, and I am informed and believe the matters therein are true
12 and on that ground I allege that the matters stated therein are true.

13 I declare under penalty of perjury that the foregoing is true and correct.

14 Executed on May 23, 2016, at San Francisco, California.
15

16 
17 Eileen Chan
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EXHIBIT “5”

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19 Attorneys for Defendants
20 PACIFIC GAS AND ELECTRIC COMPANY
21 and PG&E CORPORATION

22 SUPERIOR COURT OF THE STATE OF CALIFORNIA
23 COUNTY OF SACRAMENTO

24 *Coordination Proceeding*
25 *Special Title (CRC 3.550)*

JCCP 4853

26 BUTTE FIRE CASES

27 DEFENDANT PACIFIC GAS AND
28 ELECTRIC COMPANY'S RESPONSE TO
PLAINTIFFS' REQUESTS FOR
PRODUCTION OF DOCUMENTS AND
THINGS, SET ONE

PROPOUNDING PARTY: All Plaintiffs

RESPONDING PARTY: Defendant Pacific Gas and Electric Company

SET NO.: One

Pursuant to Code of Civil Procedure sections 2031.010-2031.510, Defendant Pacific Gas
and Electric Company ("PG&E") hereby responds to plaintiffs' Request for Production of

1 Documents, Set One, as follows:

2 REQUEST NO. 1:

3 Any and all DOCUMENTS THAT RELATE TO the statements made on Page 36 of the
4 Quarterly Report Pursuant to Section 15 or 15(d) of the Securities Exchange Act of 1934 filed by
5 PG&E on or about September 30, 2015, which statements are as follows:

6 ***“Investigation of the Butte Fire***

7 In September 2015, a wildfire (known as the “Butte Fire”) ignited and spread in
8 Amador and Calaveras Counties in Northern California. The California Department of
9 Forestry and Fire Protection (“Cal Fire”) is investigating the source of the fire including
10 whether a live tree may have contacted a power line owned and operated by the Utility, in
11 the vicinity of the ignition point. The Utility also is conducting an investigation. Cal Fire
12 has reported that as a result of the fire there were two deaths and 965 structures, including
13 571 houses, were damaged or destroyed.

14 Although the cause of the fire has not yet been determined, PG&E Corporation and
15 the Utility believe that it is reasonably possible that the Utility will incur a material amount
16 of losses associated with third-party claims for property damage, fire suppression costs,
17 personal injury, or other claims. PG&E Corporation and the Utility are unable to
18 reasonably estimate the amount of possible losses (or range amounts) given the
19 preliminary stages of the investigation into the cause of the fire and uncertainty about the
20 extent and value of real and personal property damaged by the fire which spread over
21 70,000 acres much of which is remote and rugged terrain. The Utility has insurance
22 coverage for these types of claims. If the amount of insurance is insufficient to cover the
23 Utility’s liability resulting from the Butte fire, or if insurance is otherwise available, PG&E
24 Corporation’s and the Utility’s financial condition or results or operations could be
25 materially affected.”

26 RESPONSE TO REQUEST NO. 1:

27 PG&E responds that the Cal Fire information and evidence available to PG&E has been
28

1 made equally available to Plaintiffs. Subject to and without waiving objections based on attorney-
2 client privilege, the work product doctrine, and Code of Civil Procedure sections 2034.010 et seq.
3 regarding expert witnesses, PG&E will produce the information referred to in form interrogatory
4 responses regarding available insurance and the information produced to the CPUC and Cal Fire.
5 PG&E objects to the extent this request is vague, ambiguous, overbroad, and burdensome. PG&E
6 is willing to meet and confer with Plaintiffs regarding this request.

7 REQUEST NO. 2:

8 Any and all DOCUMENTS THAT RELATE TO PG&E's compliance during the five-
9 year period immediately preceding the BUTTE FIRE with the requirements stated in Public
10 Utilities Code § 451 with respect to the POWER POLES and POWER LINES located on the
11 CAUFIELD RANCH.

12 RESPONSE TO REQUEST NO. 2:

13 Procedures, contracts, inspections, and work records for five years preceding the Butte fire
14 that relate to the Electra 1101 circuit that crosses the property identified as the Caufield Ranch are
15 responsive to this request. The Electra 1101 circuit is also identified in vegetation management
16 records by the prior name of "Martell 1102." Subject to and without waiving objections on the
17 grounds of attorney-client privilege, the work product doctrine, and expert witness discovery
18 provided by Code of Civil Procedure sections 2034.010, and pursuant to an appropriate protective
19 order, PG&E will produce non-privileged responsive documents identified above. PG&E objects
20 to the extent the request is vague, ambiguous, overbroad and burdensome.

21 REQUEST NO. 3:

22 Any and all DOCUMENTS THAT RELATE TO PG&E's compliance during the five-year
23 period immediately preceding the BUTTE FIRE with the requirements stated in Public Resources
24 Code § 4292 with respect to the POWER POLES and POWER LINES located on the CAUFIELD
25 RANCH.

26 RESPONSE TO REQUEST NO. 3:

27 Procedures, contracts, inspections, and work records for five years preceding the Butte fire
28

1 that relate to the Electra 1101 circuit that crosses the property identified as the Caufield Ranch are
2 responsive to this request. The Electra 1101 circuit is also identified in vegetation management
3 records by the prior name of "Martell 1102." Subject to and without waiving objections on the
4 grounds of attorney-client privilege, the work product doctrine, and expert witness discovery
5 provided by Code of Civil Procedure sections 2034.010, and pursuant to an appropriate protective
6 order, PG&E will produce the non-privileged responsive documents identified above. PG&E
7 objects to the extent the request is vague, ambiguous, overbroad and burdensome.

8 REQUEST NO. 4:

9 Any and all DOCUMENTS THAT RELATE TO PG&E's compliance during the five-year
10 period immediately preceding the BUTTE FIRE with the requirements stated in Public Resources
11 Code § 4293 with respect to the POWER POLES and POWER LINES located on the CAUFIELD
12 RANCH.

13 RESPONSE TO REQUEST NO. 4:

14 Procedures, contracts, inspections, and work records for five years preceding the Butte fire
15 that relate to the Electra 1101 circuit that crosses the property identified as the Caufield Ranch are
16 responsive to this request. The Electra 1101 circuit is also identified in vegetation management
17 records by the prior name of "Martell 1102." Subject to and without waiving objections on the
18 grounds of attorney-client privilege, the work product doctrine, and expert witness discovery
19 provided by Code of Civil Procedure sections 2034.010, and pursuant to an appropriate protective
20 order, PG&E will produce the non-privileged responsive documents identified above. PG&E
21 objects to the extent the request is vague, ambiguous, overbroad and burdensome.

22 REQUEST NO. 5:

23 Any and all DOCUMENTS THAT RELATE TO PG&E's compliance during the five-year
24 period immediately preceding the BUTTE FIRE with the requirements stated in Public Utility
25 Commission General Order 95, including, but not limited to, Rules 33.1 and 35 of that Order, with
26 respect to the POWER POLES and POWER LINES located on the CAUFIELD RANCH.

27 RESPONSE TO REQUEST NO. 5:

1 Procedures, contracts, inspections, and work records for five years preceding the Butte fire
2 that relate to the Electra 1101 circuit that crosses the property identified as the Caufield Ranch are
3 responsive to this request. The Electra 1101 circuit is also identified in vegetation management
4 records by the prior name of "Martell 1102." Subject to and without waiving objections on the
5 grounds of attorney-client privilege, the work product doctrine, and expert witness discovery
6 provided by Code of Civil Procedure sections 2034.010, and pursuant to an appropriate protective
7 order, PG&E will produce the non-privileged responsive documents identified above. PG&E
8 objects to the extent the request is vague, ambiguous, overbroad and burdensome.

9 REQUEST NO. 6:

10 Any and all DOCUMENTS THAT RELATE TO PG&E's compliance during the five-year
11 period immediately preceding the BUTTE FIRE with the requirements stated in Public Utility
12 Commission General Order 165 with respect to the POWER POLES and POWER LINES located
13 on the CAUFIELD RANCH.

14 RESPONSE TO REQUEST NO. 6:

15 Procedures, contracts, inspections, and work records for five years preceding the Butte fire
16 that relate to the Electra 1101 circuit that crosses the property identified as the Caufield Ranch are
17 responsive to this request. The Electra 1101 circuit is also identified in vegetation management
18 records by the prior name of "Martell 1102." Subject to and without waiving objections on the
19 grounds of attorney-client privilege, the work product doctrine, and expert witness discovery
20 provided by Code of Civil Procedure sections 2034.010, and pursuant to an appropriate protective
21 order, PG&E will produce the non-privileged responsive documents identified above. PG&E
22 objects to the extent the request is vague, ambiguous, overbroad and burdensome.

23 REQUEST NO. 7:

24 Any and all DOCUMENTS THAT RELATE TO PG&E's compliance with the
25 requirements stated in North American Electric Reliability Council (NERC) Standard FAC-003-1
26 with respect to the POWER POLES and POWER LINES located on the CAUFIELD RANCH.

27 RESPONSE TO REQUEST NO. 7:

1 The North American Electric Reliability Council (NERC) Standard FAC-003-1 pertains to
2 transmission lines, and the electric lines that cross the property identified as the Caufield Ranch
3 are distribution lines. The NERC Standard FAC-003-01 is not relevant. Subject to and without
4 waiving objections on the grounds of attorney-client privilege, the work product doctrine, and
5 expert witness discovery provided by Code of Civil Procedure sections 2034.010, and pursuant to
6 an appropriate protective order, PG&E will produce the documents responsive to request numbers
7 2 through 6, identified above, that show compliance with regulatory requirements.

8 REQUEST NO. 8:

9 Any and all DOCUMENTS THAT RELATE TO any report YOU made to any
10 governmental agency, including, but not limited to the CPUC and the California Department of
11 Forestry and Fire Protection, regarding the BUTTE FIRE.

12 RESPONSE TO REQUEST NO. 8:

13 PG&E provided documents to the CPUC and Cal Fire regarding the Butte Fire. Subject to
14 and without waiving objections on the grounds of attorney-client privilege, the work product
15 doctrine, and expert witness discovery provided by Code of Civil Procedure sections 2034.010,
16 and pursuant to an appropriate protective order, PG&E will produce the non-privileged responsive
17 documents identified above. PG&E objects to the extent the request is vague, ambiguous,
18 overbroad and burdensome.

19 REQUEST NO. 9:

20 Any and all DOCUMENTS THAT RELATE TO any COMMUNICATIONS that YOU
21 had with any governmental agency, including, but not limited to the CPUC and the California
22 Department of Forestry and Fire Protection, regarding the BUTTE FIRE.

23 RESPONSE TO REQUEST NO. 9:

24 Documents provided to the CPUC and Cal Fire regarding the Butte Fire and
25 communications with FEMA are responsive to this request. Subject to and without waiving
26 objections on the grounds of attorney-client privilege, the work product doctrine, and expert
27 witness discovery provided by Code of Civil Procedure sections 2034.010, and pursuant to an
28

1 appropriate protective order, PG&E will produce non-privileged responsive documents identified
2 above. PG&E objects to the extent the request is vague, ambiguous, overbroad and burdensome.

3 REQUEST NO. 10:

4 Any and all DOCUMENTS that identify any individual or entity, including, but not limited
5 to, PG&E, who investigated the cause of the BUTTE FIRE.

6 RESPONSE TO REQUEST NO. 10:

7 PG&E cooperated with and provided documents to the CPUC and Cal Fire. The Cal Fire
8 Investigation Report and evidence is equally available to Plaintiffs. Subject to and without
9 waiving objections on the grounds of attorney-client privilege, the work product doctrine, and
10 expert witness discovery provided by Code of Civil Procedure sections 2034.010, and pursuant to
11 an appropriate protective order, PG&E is producing the documents provided to the CPUC and Cal
12 Fire. PG&E objects to the extent the request is vague, ambiguous, and overbroad.

13 REQUEST NO. 11:

14 Any and all any electronic audio recordings relating to the BUTTE FIRE.

15 RESPONSE TO REQUEST NO. 11:

16 Cal Fire audio recordings regarding fire suppression operations are equally available to
17 Plaintiffs. PG&E objects to the extent the request is vague, ambiguous, overbroad and
18 burdensome. Subject to and waiving the objections, PG&E will meet and confer to determine the
19 documents responsive to this request.

20 REQUEST NO. 12:

21 Any and all still and video ground photographs taken within the perimeter of the BUTTE
22 FIRE.

23 RESPONSE TO REQUEST NO. 12:

24 Ground photographs taken by PG&E employees on the property identified by Plaintiffs as
25 the Caufield Ranch after PG&E was contacted by Cal Fire are responsive to this request. Subject
26 to and without waiving objections on the grounds of attorney-client privilege, the work product
27 doctrine, and expert witness discovery provided by Code of Civil Procedure sections 2034.010,
28

PG&E will produce responsive documents identified above. PG&E objects to the extent the request is vague, ambiguous, and overbroad.

REQUEST NO. 13:

Any and all any still and video aerial photographs taken of lands within the perimeter of the BUTTE FIRE.

RESPONSE TO REQUEST NO. 13:

Aerial photographs that were taken of the area where the fire started on September 9, 2015 are responsive. Subject to and without waiving objections on the grounds of attorney-client privilege, the work product doctrine, and expert witness discovery provided by Code of Civil Procedure sections 2034.010, PG&E will produce the non-privileged responsive documents identified above. PG&E objects to the extent the request is vague, ambiguous, and overbroad.

REQUEST NO. 14:

Any and all LIDAR images of lands within the perimeter of the BUTTE FIRE.

RESPONSE TO REQUEST NO. 14:

LiDAR data before the fire is responsive to this request. Cal Fire evidence is equally available to Plaintiffs. Subject to and without waiving objections on the grounds of attorney-client privilege, the work product doctrine, and expert witness discovery provided by Code of Civil Procedure sections 2034.010, PG&E will produce the non-privileged responsive data identified above. PG&E objects to the extent the request is vague and ambiguous.

REQUEST NO. 15:

Any and all DOCUMENTS THAT RELATE TO any COMMUNICATIONS that YOU had with any emergency services or authorities at any time concerning the BUTTE FIRE.

RESPONSE TO REQUEST NO. 15:

PG&E objects that this request is overbroad, vague, and ambiguous and includes extensive documents regarding response to the fire and restoration of services. Subject to and without waiving objections on the grounds of attorney-client privilege, the work product doctrine, and expert witness discovery provided by Code of Civil Procedure sections 2034.010, and pursuant to

1 an appropriate protective order, PG&E will produce the responsive documents after meeting and
2 conferring with Plaintiffs regarding the scope of this demand.

3 REQUEST NO. 16:

4 Any and all DOCUMENTS THAT RELATE TO any contracts or agreements that YOU
5 had with ACRT regarding the maintenance of vegetation located on the CAUFIELD RANCH,
6 including final contracts or agreements, drafts, bids, and COMMUNICATIONS concerning
7 negotiations as to terms.

8 RESPONSE TO REQUEST NO. 16:

9 Contracts for the five years preceding the Butte Fire are responsive to this request. Subject
10 to and without waiving objections on the grounds of attorney-client privilege, the work product
11 doctrine, and expert witness discovery provided by Code of Civil Procedure sections 2034.010,
12 and pursuant to an appropriate protective order, PG&E will produce the responsive non-privileged
13 documents identified above. PG&E objects to the extent the request is vague, ambiguous, and
14 overbroad.

15 REQUEST NO. 17:

16 Any and all DOCUMENTS THAT RELATE TO any contracts or agreements that YOU
17 had with TREES regarding the maintenance of vegetation located on the CAUFIELD RANCH,
18 including final contracts or agreements, drafts, bids, and COMMUNICATIONS concerning
19 negotiations as to terms.

20 RESPONSE TO REQUEST NO. 17:

21 Contracts for the five years preceding the Butte Fire are responsive to this request. Subject
22 to and without waiving objections on the grounds of attorney-client privilege, the work product
23 doctrine, and expert witness discovery provided by Code of Civil Procedure sections 2034.010,
24 and pursuant to an appropriate protective order, PG&E will produce the responsive non-privileged
25 documents identified above. PG&E objects to the extent the request is vague, ambiguous, and
26 overbroad.

27 REQUEST NO. 18:

28

1 Any and all DOCUMENTS THAT RELATE TO contracts or agreements between PG&E
2 and ACRT in force between January 1, 2010, and December 31, 2015, including final contracts or
3 agreements, drafts, bids, and COMMUNICATIONS concerning negotiations as to terms.

4 RESPONSE TO REQUEST NO. 18:

5 Contracts for the five years preceding the Butte Fire that relate to vegetation located on the
6 property identified as the Caufield Ranch are responsive to this request. Subject to and without
7 waiving objections on the grounds of attorney-client privilege, the work product doctrine, and
8 expert witness discovery provided by Code of Civil Procedure sections 2034.010, and pursuant to
9 an appropriate protective order, PG&E will produce the non-privileged responsive documents
10 identified above. PG&E objects to the extent the request is vague, ambiguous, and overbroad.

11 REQUEST NO. 19:

12 Any and all DOCUMENTS THAT RELATE TO contracts or agreements between PG&E
13 and TREES in force between January 1, 2010 and December 31, 2015, including final contracts or
14 agreements, drafts, bids, and COMMUNICATIONS concerning negotiations as to terms.

15 RESPONSE TO REQUEST NO. 19:

16 Contracts for the five years preceding the Butte Fire that relate to vegetation located on the
17 property identified as the Caufield Ranch are responsive to this request. Subject to and without
18 waiving objections on the grounds of attorney-client privilege, the work product doctrine, and
19 expert witness discovery provided by Code of Civil Procedure sections 2034.010, and pursuant to
20 an appropriate protective order, PG&E will produce the non-privileged responsive documents
21 identified above. PG&E objects to the extent the request is vague, ambiguous, and overbroad.

22 REQUEST NO. 20:

23 Any and all DOCUMENTS THAT RELATE TO policies of insurance that YOU contend
24 provide coverage for any DAMAGES caused by the BUTTE FIRE, including but not limited to
25 policies, demand letters, and other COMMUNICATIONS between YOU and YOUR insurers.

26 RESPONSE TO REQUEST NO. 20:

27 Subject to and without waiving objections based on attorney-client privilege, the work
28

1 product doctrine, and Code of Civil Procedure sections 2034.010 et seq. regarding expert
2 witnesses, PG&E will produce the document identifying insurance information referred to in
3 response to form interrogatory 4.1. In addition, PG&E has coverage through policies obtained by
4 Trees, Inc. and ACRT, including policies that include PG&E as an additional insured.

5 REQUEST NO. 21:

6 Any and all DOCUMENTS THAT RELATE TO COMMUNICATIONS between PG&E
7 and ACRT about maintenance work near POWER POLES or POWER LINES on the CAUFIELD
8 RANCH, including, but not limited to, all documents showing when PG&E asked for or
9 authorized any work to be done and all bids for such work.

10 RESPONSE TO REQUEST NO. 21:

11 Procedures, contracts, inspections, and work records for five years preceding the Butte fire
12 that relate to the Electra 1101 circuit that crosses the property identified as the Caufield Ranch are
13 responsive to this request. The Electra 1101 circuit is also identified in vegetation management
14 records by the prior name of "Martell 1102." Subject to and without waiving objections on the
15 grounds of attorney-client privilege, the work product doctrine, and expert witness discovery
16 provided by Code of Civil Procedure sections 2034.010, and pursuant to an appropriate protective
17 order, PG&E will produce non-privileged responsive documents identified above. PG&E objects
18 to the extent the request is vague, ambiguous, and overbroad.

19 REQUEST NO. 22:

20 Any and all DOCUMENTS THAT RELATE TO COMMUNICATIONS between PG&E
21 and TREES about maintenance work near POWER POLES or POWER LINES on the
22 CAUFIELD RANCH, including, but not limited to, all documents showing when PG&E asked for
23 or authorized any work to be done and all bids for such work.

24 RESPONSE TO REQUEST NO. 22:

25 Procedures, contracts, inspections, and work records for five years preceding the Butte fire
26 that relate to the Electra 1101 circuit that crosses the property identified as the Caufield Ranch are
27 responsive to this request. The Electra 1101 circuit is also identified in vegetation management
28

1 records by the prior name of "Martell 1102." Subject to and without waiving objections on the
2 grounds of attorney-client privilege, the work product doctrine, and expert witness discovery
3 provided by Code of Civil Procedure sections 2034.010, and pursuant to an appropriate protective
4 order, PG&E will produce privileged responsive documents identified above. PG&E objects to
5 the extent the request is vague, ambiguous, and overbroad.

6 REQUEST NO. 23:

7 Any and all DOCUMENTS THAT RELATE TO PG&E's budgets for vegetation
8 maintenance for the period from January 1, 2010 and December 31, 2015, including, but not
9 limited to, preliminary and final budgets.

10 RESPONSE TO REQUEST NO. 23:

11 This request is overbroad, vague, ambiguous, burdensome, and seeks documents that are
12 not relevant. PG&E vegetation management budgets are included in PG&E's General Rate Case
13 submitted to the CPUC. PG&E will meet and confer with Plaintiffs regarding the scope of this
14 request. PG&E further objects to this request on grounds of attorney-client privilege, the work
15 product doctrine, and expert witness discovery provided by Code of Civil Procedure sections
16 2034.010.

17 REQUEST NO. 24:

18 Any and all DOCUMENTS THAT RELATE TO meetings of PG&E's Board of Directors
19 between January 1, 2010 and December 31, 2015, of PG&E's Board of Directors where vegetation
20 maintenance was on the agenda or discussed, including, but not limited to, agenda, notes, minutes,
21 and recordings of meetings of PG&E's full Board of Directors and any committee comprised of
22 members of PG&E's Board of Directors.

23 RESPONSE TO REQUEST NO. 24:

24 This request is overbroad, vague, ambiguous, burdensome, and seeks documents that are
25 not relevant. PG&E will meet and confer with Plaintiffs regarding the scope of this request.
26 PG&E further objects to this request on grounds of attorney-client privilege, the work product
27 doctrine, and expert witness discovery provided by Code of Civil Procedure sections 2034.010.

28

1 REQUEST NO. 25:

2 Any and all DOCUMENTS sufficient to identify the names, employers, business addresses
3 and business telephone numbers of all Supervising Program Managers, Vegetation Program
4 Managers, and Utility Foresters whose responsibilities during the five-year period immediately
5 preceding the BUTTE FIRE were to oversee and manage the contractor staff who inspected,
6 pruned, and removed vegetation growing into and near POWER LINES in PG&E's Vegetation
7 Management Area that included Calaveras County.

8 RESPONSE TO REQUEST NO. 25:

9 Subject to and without waiving objections on the grounds of attorney-client privilege, the
10 work product doctrine, and expert witness discovery provided by Code of Civil Procedure sections
11 2034.010, and pursuant to an appropriate protective order, PG&E will produce a document
12 sufficient to identify vegetation management personnel. PG&E objects to the extent this request is
13 vague, ambiguous, overbroad, and burdensome.

14 REQUEST NO. 26:

15 Any and all DOCUMENTS sufficient to identify the names, employers, business addresses
16 and business telephone numbers of all inspection contractors with whom PG&E contracted during
17 the five-year period immediately preceding the BUTTE FIRE to inspect the vegetation adjacent to
18 the POWER LINES in PG&E's Vegetation Management Area that included Calaveras County.

19 RESPONSE TO REQUEST NO. 26:

20 Contracts for the five years preceding the Butte Fire that relate to vegetation located on the
21 property identified as the Caufield Ranch are responsive to this request. Subject to and without
22 waiving objections on the grounds of attorney-client privilege, the work product doctrine, and
23 expert witness discovery provided by Code of Civil Procedure sections 2034.010, and pursuant to
24 an appropriate protective order, PG&E will produce the non-privileged responsive documents
25 identified above. PG&E objects to the extent the request is vague, ambiguous, and overbroad.

26 REQUEST NO. 27:

27 Any and all DOCUMENTS sufficient to identify the names, employers, business addresses
28

1 and business telephone numbers of all tree trimmers with whom PG&E contracted during the five-
2 year period immediately preceding the BUTTE FIRE to prune and remove vegetation growing
3 into and near POWER LINES in PG&E's Vegetation Management Area that included Calaveras
4 County.

5 RESPONSE TO REQUEST NO. 27:

6 Contracts for the five years preceding the Butte Fire that relate to vegetation located on the
7 property identified as the Caufield Ranch are responsive to this request. Subject to and without
8 waiving objections on the grounds of attorney-client privilege, the work product doctrine, and
9 expert witness discovery provided by Code of Civil Procedure sections 2034.010, and pursuant to
10 an appropriate protective order, PG&E will produce the non-privileged responsive documents
11 identified above. PG&E objects to the extent the request is vague, ambiguous, and overbroad.

12 DATED: May 23, 2016

13 By: Jeffrey N. Boozell

14 Kenneth R. Chiate
15 Jeffrey N. Boozell
16 Sarah J. Cole
QUINN EMANUEL URQUHART & SULLIVAN,
LLP

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18 Attorneys for Defendants
19 PACIFIC GAS AND ELECTRIC COMPANY
20 and PG&E CORPORATION
21
22
23
24
25
26
27
28

1 RE: Butte Fire Cases
2 JCCP 4853

3
4 VERIFICATION

5 I, the undersigned, say:

6 I am an officer, to wit, Assistant Corporate Secretary of PACIFIC GAS AND ELECTRIC
7 COMPANY, a corporation, and am authorized, pursuant to Code of Civil Procedure Section
8 446(a), to make this verification for and on behalf of said corporation, and I make this
9 verification for that reason; I have read the foregoing document, **DEFENDANT PACIFIC GAS**
10 **AND ELECTRIC COMPANY'S RESPONSE TO PLAINTIFFS' REQUESTS FOR**
11 **PRODUCTION OF DOCUMENTS AND THINGS, SET ONE**, and I am informed and
12 believe the matters therein are true and on that ground I allege that the matters stated therein are
13 true.

14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed on May 25, 2016, at San Francisco, California.

16
17 
18 _____
Eileen Chan